



February 26, 2014

ENGROSSED HOUSE BILL No. 1139

DIGEST OF HB 1139 (Updated February 24, 2014 1:41 pm - DI 44)

Citations Affected: IC 25-20; IC 25-35.6; noncode.

Synopsis: Hearing aids. Provides that a person may not sell, lease, or rent a hearing aid in Indiana unless the hearing aid has been fitted by a hearing aid dealer or an audiologist. Exempts certain persons who issue a prescription or order for a hearing aid from the requirement. Provides a penalty for violations. Requires the state department of health to report information to the health finance commission concerning: (1) the number of minors who are hearing impaired; and (2) the estimated cost for a state program and a health insurance requirement to provide hearing aids to those minors.

Effective: July 1, 2014.

Bauer, Clere, Brown T, Porter

(SENATE SPONSORS — MILLER PATRICIA, BREAUX, BRODEN,
ALTING)

January 9, 2014, read first time and referred to Committee on Public Health.
January 27, 2014, amended, reported — Do Pass.
January 29, 2014, read second time, ordered engrossed. Engrossed.
January 30, 2014, read third time, passed. Yeas 87, nays 8.

SENATE ACTION

February 4, 2014, read first time and referred to Committee on Commerce, Economic Development and Technology.
February 25, 2014, amended, reported favorably — Do Pass.

EH 1139—LS 6746/DI 77



February 26, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1139

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-20-1-26 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2014]: **Sec. 26. A person may not sell, lease, or rent a hearing aid**
4 **in Indiana unless the person complies with the requirements under**
5 **IC 25-35.6-4-1.**

6 SECTION 2. IC 25-35.6-4 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2014]:

Chapter 4. Unlawful Practices

9 **Sec. 1. (a) This section does not apply to a prescription or order**
10 **by a person who:**

11 **(1) is licensed, certified, registered, or regulated by a board**
12 **listed in IC 25-1-9-1; and**

13 **(2) has authority to issue a prescription or order for a hearing**
14 **aid.**

15 **(b) A person may not sell, lease, or rent a hearing aid (as defined**
16

EH 1139—LS 6746/DI 77



1 in IC 25-20-1-1) in Indiana unless the hearing aid has been fitted
2 by any of the following:

3 (1) A hearing aid dealer who has been issued a certificate of
4 registration under IC 25-20.

5 (2) An audiologist who is licensed under this article.

6 (c) A person who violates this section commits a Class B
7 infraction.

8 SECTION 3. [EFFECTIVE JULY 1, 2014] (a) Before September
9 1, 2014, the state department of health shall, with assistance from
10 the center for deaf and hard of hearing education:

11 (1) determine the number of Indiana residents who are less
12 than nineteen (19) years of age and are hearing impaired; and

13 (2) determine the estimated cost for:

14 (A) a state program; and

15 (B) a health insurance requirement;

16 to provide hearing aids to the individuals identified in
17 subdivision (1).

18 (b) The state department of health shall report its findings
19 under this SECTION to the health finance commission before
20 October 15, 2014.

21 (c) This SECTION expires December 31, 2014.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1139, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, after line 7, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE JULY 1, 2014] (a) Before September 1, 2014, the state department of health shall, with assistance from the center for deaf and hard of hearing education:

(1) determine the number of Indiana residents who are less than nineteen (19) years of age and are hearing impaired; and

(2) determine the estimated cost for:

(A) a state program; and

(B) a health insurance requirement;

to provide hearing aids to the individuals identified in subdivision (1).

(b) The state department of health shall report its findings under this SECTION to the health finance commission before October 15, 2014.

(c) This SECTION expires December 31, 2014."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1139 as introduced.)

CLERE, Chair

Committee Vote: yeas 7, nays 0.



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development and Technology, to which was referred House Bill No. 1139, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 16, after "aid" insert "**(as defined in IC 25-20-1-1)**".

Page 2, line 1, delete "and adjusted".

and when so amended that said bill do pass.

(Reference is to HB 1139 as printed January 27, 2014.)

BUCK, Chairperson

Committee Vote: Yeas 6, Nays 0.

